

Mr. Burnett, Chairman of Committee on Enrolled Bills, reported the following correctly enrolled, properly signed, and presented to the Governor:

A bill to amend the 1st and 5th sections of an Act incorporating the East Fork Bridge Company.

A bill granting Solomon Wolfe the privilege of building a toll bridge across the Angelina River.

The Senate adjourned until 10 o'clock A. M. tomorrow.

Saturday, December 28, 1861.

Senate met pursuant to adjournment. Prayer by the Chaplain, roll called, quorum present. The journal of yesterday was read and adopted.

A bill for relief of the heirs of Abner Fox was taken up on motion of Mr. Dickson, read 2nd time, and ordered to 3rd reading. Rule suspended, read 3rd time and passed.

Mr. Dickson at his request was excused from service on the Committee on Retrenchment, whereupon Mr. Burnett was appointed thereon in his stead.

Mr. Guinn, Chairman of Committee on Claims and Accounts, reported a bill for the relief of the heirs of John P. White and recommended its passage.

Mr. Finlay presented the memorial of C. L. Owens, J. B. Dood, and others which was referred to Committee on Finance.

Mr. Shelley introduced a bill to amend Article 721 of the Penal Code. Read 1st time. Rule suspended, read 2nd time; rule suspended, read 3rd time and passed.

A message was received from the House announcing the passage of the following Senate bills:

Bill supplemental to an Act to incorporate the West Fork Bridge Company, passed February 11, 1860.

Bill to authorize the Governor to appoint an agent for the Alabama and Coushatta Indians.

Bill authorizing the payment of audited scrip against the County of Cameron in satisfaction of the county license tax for retailing spirituous liquor; and House agrees to Senate substitute making valid the removal of the records and library of the Supreme Court from Galveston to Houston.

Mr. Shelley introduced a bill to amend the 22nd section of an Act for the erection and support of a lunatic asylum. Read 1st and 2nd times and referred to Committee on State Affairs.

A bill to provide for the perpetuation of testimony in

certain cases during a certain time. Read 1st and 2nd times and referred to Judiciary Committee.

Mr. Finlay introduced a bill for the relief of John Thomas, assignee of D. Murphy. Read 1st and 2nd times and referred to Committee on Private Land Claims.

Mr. Dickson introduced a bill for the relief of William C. Reed. Read 1st and 2nd times and referred to Committee on Private Land Claims.

A bill prescribing the mode of establishing the liability of drawers and endorsers of bills of exchange and promissory notes. Read 1st and 2nd times and referred to Judiciary Committee.

A bill to regulate county advertising in newspapers in certain cases. Read 1st and 2nd times and referred to Judiciary Committee.

A bill providing for the recovery of State arms. Read 1st and 2nd times and referred to Committee on Military Affairs.

A bill to require the financial agent of the State penitentiary to settle his accounts quarterly with the Comptroller. Read 1st and 2nd times and referred to Penitentiary Committee.

Joint resolution providing for auditing the claims of Captain Sansom's company of volunteers. Read 1st and 2nd times and referred to Committee on Military Affairs.

A bill regulating the fees for swimming cattle at ferries. Read 1st and 2nd times and referred to Committee on State Affairs.

A bill providing for summary proceedings against Justices of the Peace in certain cases. Read 1st and 2nd times and referred to Judiciary Committee.

A bill for relief of Levi English. Read 1st and 2nd times and referred to Committee on Private Land Claims.

A bill for relief of James P. Plummer. Read 1st and 2nd times and referred to Committee on Private Land Claims.

A bill for relief of Trueman B. Beck, William B. Custard, Abner Matthews, and Abner H. Cook. Read 1st and 2nd times and referred to Committee on Judiciary.

A bill granting land to soldiers being special order was read 2nd time. Mr. Durant moved the previous question, upon which Mr. Guinn moved a call which was sustained.

A bill to regulate the pay of sheriffs in certain cases. Read 2nd time and ordered to 3rd reading.

Mr. Cook moved to amend by adding the County of El Paso. Adopted. Rule suspended, bill read 3rd time and passed.

A bill to provide for auditing and settling all claims against the State on account of volunteers called out by the Governor and Committee of Safety. Read 2nd time. Mr. Erath offered the following substitute for the amendment offered by Mr. Guinn: "provided that this Act shall not be so construed as to provide payment of expenses at the camps of instruction or of any troops not actually called off from the place they were organized."

The bill and amendments were then referred to Committee on Finance. Mr. Lea, Chairman of Committee on Finance, reported the propositions on the subject of retrenchment and asked that they be referred to the committee raised on the subject. Report adopted.

A bill for relief of purchasers of University lands. Read 2nd time and ordered to be engrossed.

Mr. Durant offered the following amendment: strike out the words "after the war" and insert "until the 1st day of January, 1864, or until six months after the close of the present war or until otherwise provided by law." Carried.

The rule was further suspended. Bill read 3rd time and passed, Messrs. Burnett, Crawford of Jasper, Darden, Guinn, and Selman voting nay.

A bill authorizing the county courts to levy a special war tax. Read 2nd time. Report of committee laid on the table.

Mr. Shepard moved to amend by inserting "the same kind of funds." Mr. Parsons moved to amend by inserting "or in specie." Adopted.

Mr. Finlay offered the following amendment: "Confederate notes and Treasury warrants and notes shall be receivable for any and all taxes levied and collected under the provisions of this Act."

Mr. Guinn offered the following to Mr. Finlay's amendment: "provided that the county courts shall have power, if they think it necessary, to direct the payment of one-fourth of the assessment in specie."

Mr. Beasley offered the following as a substitute: "that the tax so assessed be paid in county scrip or county warrants, State Treasury scrip, or Confederate Treasury notes or such other current funds as he may be instructed to collect by the county court." The substitute was laid on the table.

Mr. Casey offered the following amendment: "Any person who may have contributed or advanced any money, clothing, blankets, camp equipage, or transportation to any company of soldiers raised in this State for the service

of the State or Confederate States shall be allowed a credit for same on the war tax herein before authorized. The amount of such claim to be established by satisfactory proof before the county court of the county of the claimant's residence, certified by the chief justice of such county under the seal of his office."

The amendment was laid on the table by the following vote:

YEAS — Messrs. Branch, Cook, Crawford of Fannin, Darden, Durant, Erath, Finlay, Guinn, Houston, Jordan, Lea, Mitchell, Moore, Parsons, Reed, Scarborough, Shelley, and Shepard—18.

NAYS—Messrs. Batte, Beasley, Boyd, Burnett, Casey, Crawford of Jasper, Dickson, Graham, Selman, Weatherford, and Wheeler—11.

Mr. Wheeler offered the following amendment: "provided further that the tax provided by this Act shall not be levied upon the property of soldiers during the time they are engaged in the service." Lost by the following vote:

YEAS—Messrs. Burnett, Casey, Crawford of Fannin, Dickson, Graham, Weatherford, and Wheeler—7.

NAYS—Messrs. Batte, Beasley, Boyd, Branch, Cook, Crawford of Jasper, Darden, Durant, Erath, Finlay, Guinn, Houston, Lea, Mitchell, Moore, Obenchain, Parsons, Reed, Scarborough, Selman, Shelley, and Shepard—[22]

Mr. Selman offered the following amendment: "The question of taxation for war purposes as provided in this Act shall be submitted by the county court of the county where such tax is proposed to be raised at such time and in such manner as may be by said court prescribed to the qualified voters of such county, and, if a majority of votes in said county shall be cast in favor of levying such tax, then the court shall levy and collect the same as herein provided." Laid on table. The bill was then passed to a third reading by the following vote:

YEAS—Messrs. Batte, Beasley, Boyd, Burnett, Casey, Cook, Crawford of Jasper, Durant, Erath, Finlay, Guinn, Houston, Lea, Moore, Obenchain, Parsons, Reed, and Shepard—18.

NAYS — Messrs. Branch, Crawford of Jasper [sic], Darden, Dickson, Graham, Mitchell, Scarborough, Selman, Shelley, Weatherford, and Wheeler—11. Rule suspended, bill read 3rd time and passed.

A bill for relief of Lipscomb Norvell. Read 1st and 2nd times and referred to Committee on Private Land Claims.

Mr. Crawford of Jasper, Chairman of Committee on Engrossed Bills, reported the following correctly engrossed:

A bill for relief of railroad companies.

A bill to amend Article 721 of the Criminal Code.

A bill for relief of purchasers of University lands.

A bill granting land to soldiers. Read 2nd time. Call of Senate suspended, whereupon Mr. Durant withdrew call for the previous question.

Mr. Guinn then offered a substitute for the bill which being read was laid on the table by the following vote:

YEAS—Messrs. Batte, Beasley, Boyd, Burnett, Casey, Cook, Crawford of Fannin, Crawford of Jasper, Darden, Dickson, Durant, Graham, Jordan, Lea, Mitchell, Moore, Obenchain, Parsons, Reed, Selman, Shelley, Weatherford, and Wheeler—23.

NAYS—Messrs. Branch, Finlay, Guinn, Houston, Scarborough, and Shepard—6.

Mr. Lea offered a substitute which was laid on the table.

Mr. Parsons withdrew his substitute for Mr. Shepard's amendment, whereupon Mr. Parsons moved to lay the amendment on the table, which motion was lost by the following vote:

YEAS—Messrs. Beasley, Casey, Cook, Lea, Moore, Parsons, and Shelley—7.

NAYS—Messrs. Batte, Boyd, Branch, Burnett, Crawford of Fannin, Crawford of Jasper, Darden, Dickson, Durant, Erath, Finlay, Graham, Guinn, Houston, Jordan, Mitchell, Obenchain, Reed, Scarborough, Selman, Shepard, Weatherford, and Wheeler—23. The amendment was then adopted.

Mr. Shepard moved to strike out "160" wherever it occurs in the bill and insert "320" and strike out "320" and insert "640." Laid on table by the following vote:

YEAS—Messrs. Batte, Beasley, Boyd, Burnett, Casey, Cook, Crawford of Fannin, Crawford of Jasper, Darden, Dickson, Graham, Jordan, Lea, Mitchell, Moore, Obenchain, Parsons, Selman, Shelley, Weatherford, and Wheeler—21.

NAYS—Messrs. Branch, Durant, Erath, Finlay, Guinn, Houston, Reed, Scarborough, and Shepard—9.

The bill was then ordered to be engrossed, Messrs. Guinn, Houston, Lea, Scarborough, and Shepard voting nay.

A bill for the mileage and *per diem* pay of the 9th Legislature. Read 2nd time. Report of committee laid on table.

Mr. Guinn moved to strike out 2nd section. Laid on table by the following vote:

YEAS—Messrs. Beasley, Burnett, Casey, Cook, Dickson, Durant, Graham, Jordan, Lea, Mitchell, Moore, Parsons, Reed, Scarborough, Selman, and Weatherford—16.

NAYS — Messrs. Boyd, Branch, Crawford of Jasper, Darden, Erath, Finlay, Guinn, Houston, Obenchain, Shelley, Shepard, and Wheeler—12.

The rule was then suspended, bill read 3rd time and passed, Messrs. Boyd, Crawford [of Jasper], Darden, Erath, Houston, Obenchain, Shelley, Shepard, and Wheeler voting nay.

The Senate thereupon adjourned until 10 o'clock Monday morning.

Monday, December 30, 1861.

Senate met pursuant to adjournment. Prayer by the Chaplain, roll called, quorum present. The journal of Saturday was read and adopted.

A message from the House announced the passage of the following bills:

Senate's bill to amend the 110th section of an Act to regulate proceedings in the county courts pertaining to estates of deceased persons with amendments. Amendments concurred in.

Senate's bill to authorize the Governor to appoint Commissioners of Deeds, &c., in the Choctaw, Chickasaw, and Cherokee Nations of Indians.

Senate's bill for relief of Mrs. Martha Brenan.

Senate's bill for relief of Eastern Texas Railroad Company.

Mr. Harcourt presented the petition of sundry citizens of Colorado County asking repeal of estray law. Referred to Judiciary Committee.

Mr. Weatherford, Chairman of Committee on Private Land Claims, reported the following bills and recommended their passage:

Bill for relief of Joseph P. Sneed, assignee of Thomas Grubbs, with an amendment: strike of "1 league" and insert "1/3 league."

Bill for relief of John Thomas, assignee of D. Murphy.

Bill for relief of J. A. Ruiz and A. R. de Herrera.

Mr. Lea, Chairman of Committee on Finance, reported a bill to provide for the funding of the debt contracted for the protection of the frontier as follows:

"This bill is respectfully submitted as part of a series of financial measures embracing the House bill and other propositions under consideration. As other parts shall